

REMARKS

This amendment is in response to the Official Action mailed January 5, 2004.

In the present paper, Applicants have amended claims 1 and 30-32. Claims 1-32 are now presented for the Examiner's consideration in view of the following remarks:

*The Present Application*

The present application is directed to a method and apparatus for facilitating the making of a call or other call-related activity, based on activities that the user is engaged in at his or her computer. In one illustrative example presented in the specification, the system identifies actions taken by a salesperson in preparation for making a sales call. The salesperson searches a news Web site for recent press releases, accesses a database containing the client's account information and opens the client's Web site. The salesperson then places a phone call to the client using the client's telephone number. The system identifies the preparatory activities engaged in by the sales person, and identifies the telephone number that the salesperson dialed after engaging in those activities. The system then associates the activities with calling the telephone number, so that the next time the salesperson performs those same activities, the system provides a trigger in a user-computer interface, whereby the user can place the associated call.

It is notable that the activities that cause the trigger to be presented are computer activities engaged in by the user. Claims 1 and 30-32 have been amended to more clearly claim that aspect of the invention. By limiting the method to activities engaged in by the user, the user

will not be bombarded by call activity triggers that result from activities not directly engaged in by the user.

Exemplary claim 1 of the present application, as amended, is directed to a method for facilitating a call related to a computer activity. A first occurrence of a computer activity engaged in by a user, and a first occurrence of a call activity associated with a call identifier and involving the user, are first identified. The computer activity is associated with the call activity.

A second performance of the computer activity engaged in by the user is then recognized. A second occurrence of the call activity is anticipated based on the second performance of the computer activity. A call activity trigger associated with the anticipated call activity is provided via a user-computer interface. A call having the call identifier is placed for the user, in response to a selection of the call activity trigger.

The Examiner has rejected claims 1-32 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,493,447 to Goss et al. ("Goss").

#### *The Goss Patent*

Goss discloses a system and method relating to a call center. The system coordinates telephone connections between customers and agents with TCP/IP connections between customers and Web servers. In that way, a customer can make a call-back request from a Web site and have an agent call the customer in real time. The agent can view the same Web page viewed by the customer during the call.

In one embodiment, the Web page viewed by the customer is provided with an HTML button that activates a call-back process including presenting a dialog box for additional information (Goss, col. 6, lines 12-26). The call-back request is forwarded to an Intranet server

66 in the call center, where it is forwarded to a contact server 28 (col. 6, lines 27-57). The contact server queries a agent skills tables in a database server 34 to identify agents with appropriate skills (col. 6, lines 58-67). State tables may then be consulted to determine the availability of a particular agent to call back the customer (col. 7, lines 1-10). A window appears on the identified agent's workstation including call-back information, and enabling the agent to interact with the Web page displayed on the customer's screen (col. 7, lines 16-55).

### ***Discussion***

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. § 2131 (quoting Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Applicants respectfully submit that the Goss reference cited by the Examiner does not teach or suggest at least the following limitations of the claims, as amended. Those limitations will be discussed with respect to exemplary claim 1:

#### Identifying A First Occurrence Of A Computer Activity Engaged In By A User

The method of claim 1, as amended, requires identifying a first occurrence of a computer activity engaged in by a user. The Examiner cites "identifying those agents qualified to handle a specific callback request in the skills tables" as anticipating that limitation. Applicant submits that identifying agents in skills tables is not an activity "engaged in by a user." As noted above, that process takes place in a database server 34 that is part of the call center. The skills table look-up is invisible to both the customer and the agent. In no way can the skill table look-up be

said to be “engaged in” by either the customer or the agent. For that reason, Applicants assert that that step of claim 1 is not taught or suggested by Goss.

Recognizing A Second Performance Of The Computer Activity Engaged In By The User

Applicants respectfully note that that limitation requires a second performance of the antecedent computer activity; i.e., a performance of the same computer activity recited in the first step of claim 1. The Examiner has identified a different activity as anticipating that element of the claim: “recognizing agent’s availability in the state tables who has highest skill level needed to handle the call-back request.” Because Goss nowhere discloses such a second performance of a computer activity engaged in by the user, Applicants submit that that limitation is not anticipated by Goss.

Anticipating A Second Occurrence Of The Call Activity Based On The Second Performance Of The Computer Activity

Similarly, the subject limitation requires a second occurrence of the call activity; i.e., the same call activity recited in the second step of claim 1. The Examiner has identified two different call activities as anticipating the same element recited in two different steps of the claim. For the second step of claim 1, the Examiner states that “a call activity” is anticipated by “identifying a need to speak with a call center agent by a customer whose related information including name callback telephone number, IP address, URL, etc.” For the fifth step of the method of claim 1, the Examiner states that “the call activity” is anticipated by “selecting an available agent.” Applicants respectfully submit that no construction of claim 1 permits such a

variation in the definition of "call activity," and for that reason, the subject limitation of claim 1 is not anticipated by Goss.

Providing, Via A User-Computer Interface, A Call Activity Trigger Associated With The Anticipated Call Activity

Again, applicants respectfully submit that the Examiner has assigned yet another definition to "call activity" in discussing this step of the method of claim 1. Specifically, the Examiner states that call activity is "customer's name, callback telephone number, etc."

*Summary*

Applicants stress that, while the discussion above focuses on technical claim construction, the requirement for a consistent definition among elements having the same antecedent basis goes to an important aspect of the present invention. By identifying the same computer activity engaged in by the user in a previous occurrence, the system of the present invention can accurately and consistently identify the appropriate call activity to be suggested. One of the basic principles relied on by the system of the invention is that a user tends to take the same preparatory actions over and over when making the same call. The system takes advantage of that pattern and facilitates the action of making the call.

Applicants therefore assert that claim 1 is patentable at least for the reasons stated above. Applicants further assert that claims 2-29, which depend from claim 1 and incorporate its limitations, are patentable for at least the same reasons. Finally, Applicants submit that amended independent claims 31-33 are patentable for the same reasons as claim 1 to the extent that they contain the same limitations.

*Conclusion*

Applicants therefore respectfully assert that all the claims in the case are now in condition for allowance, and earnestly request that the Examiner issue a Notice of Allowance.

Should the Examiner have any questions regarding the present case, the Examiner should not hesitate in contacting the undersigned at the number provided below.

Respectfully submitted,

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